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SIPDIS
KUALA LUMPUR FOR WYNN S. PINKSTON
ECON

E.O. 12958: N/A
TAGS: [ETTC](#) [IT](#) [KOMC](#) [MY](#)
SUBJECT: BLUE LANTERN LEVEL 3: PRE-LICENSE END-USE CHECK
ON APPLICATION 05-050106503

REF: 2006 BLUE LANTERN GUIDEBOOK

1.This is an Action Request. See paragraphs 2-4.

¶2. The Department's Office of Defense Trade Controls Compliance (PM/DTCC) requests Post's assistance in conducting a pre-license check on application 05-050106503 for the export of defense hardware to Malaysia. Post is requested to complete this Blue Lantern inquiry within 30 days. Lack of response to a Blue Lantern inquiry will affect pending and future licenses involving parties to this license.

¶3. Reason for request: Foreign Consignee Kesuma Engineering Sdn Bhd is an unfamiliar foreign party.

¶4. Action: Department requests that Post make inquiries to establish the bona fides of the foreign consignee in the proposed transaction. Conduct a site visit to assess the company's reliability as a responsible recipient of United States Munitions List (USML) items as well as its operations and on-site security. Emphasize that the unauthorized re-export or retransfer of USML items is strictly prohibited. Confirm that the Malaysia Ministry of Defense, Procurement (MOD) placed an order for the items listed below for the purpose stated on the application, and verify its business relationship with Kesuma Engineering Sdn Bhd.

The following questions provide suggested guidance:

(To: Kesuma Engineering Sdn Bhd)

Please confirm an order to be shipped under license 05-050106503.

- How long has your company been in the business of importing and selling defense articles? What other products are sold by your company?

- Are you familiar with the restrictions against the unauthorized re-export or retransfer of U.S.-origin defense articles?

- Who are your regular customers and where are they located?
- Does your company do business (or has it done business) under any other names?
- Does your company conduct business involving USML articles with any countries besides Malaysia? If so, where? If your company has offices overseas, where are they located?

End Action Request.

15. Details of license application:

DTC Case: 05-050106503

QUANTITY/COMMODITY:

3 Digital Transponders including
Operation/Installation/Maintenance
Manuals and Acceptance Test Data Sheets.

License Value: USD \$159,435.

SELLER:

BAE Systems Information & Electronic Systems Integration Inc.
450 Pulaski Road
Greenlawn, NY 11740

FOREIGN CONSIGNEES:

C.K. Kok, Director
Kesuma Engineering Sdn Bhd
No. Alan Puteri 5/10
Bandar Puteri Puchong
47100 Puchong
Selangor
Malaysia

Molino Christian, Buyer
Agusta S.p.A Cascina Costa
Via Giovanni Agusta 520
21017 Cascina Costa di Samarate (VA)
IT
Tel: 0331/229827 or 229111
Fax: 0331/229068 or 229605
Email: ChristianAlexander.Molino@agustawestland

END-USER:

Ministry of Defense, Procurement
4th Floor Wisma
Pertahanan
Ketua Penalong Setiausaha
Unit Perolehan 3
Bahagian Perolehan
Kementerian Pertahanan
Lieutenant Colonel Mohd Shabre Bin HT Hussein
RMAF
Malaysian Army Aviation
881 Skuadron Pasukan Udara Tentera Darat
Kem Mahkota 86000 Kluang
Johor Darul, Takzim
Malaysia

PURPOSE:

AN/AX-117 Digital Interrogator hardware for the Malaysian Army (for installation in the AW 109 LOH Helicopters). Agusta's role is to integrate the AN/APX-117 on A-109 Helicopters for

the Malaysian Army Aviation. Kesuma Engineering is an authorized dealer for the Government of Malaysia.

¶6. Submitted in support of the license application were the following documents (PM/DTCC will fax documentation to Post upon request):

-- End-Use/End-User Statement from Agusta Westland dated 10 March 2008 which references Purchase Order No. 46480189/40J.

-- Fully-executed Nontransfer and Use Certificate (DSP-83) dated February 2008 DEC 2007.

¶7. Please slug reply for PM/DTCC - BLUE LANTERN COORDINATOR and include the words "Blue Lantern" and the case number in the subject line. POC is Rachael-Therese S. Joubert-Lin, Phone: 202-663-2950; Email: JoubertLinRS@state.gov; SIPRNET: JoubertLinRS@ The Blue Lantern Guidebook (ref) is available as a PDF file in the Bunche Library's E-Book Collection on the DOS Intranet:
[http://buncheelectroniclibrary.state.gov/ebooks/BlueLanternGuidebook2006%20final .pdf](http://buncheelectroniclibrary.state.gov/ebooks/BlueLanternGuidebook2006%20final.pdf)

¶8. Department is grateful for Post's assistance in this matter.
RICE